

Montana Department of Natural Resources and Conservation
Water Resources Division
Water Rights Bureau

ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact

Part I. Proposed Action Description

1. *Applicant/Contact name and address:* October J. Maggi and Scott D. Jackling Revocable Living Trust, 9430 NE 16th St, Clyde Hill WA 98004
2. *Type of action:* Application for Beneficial Water Use Permit 76D-30051149
3. *Water source name:* Kootenai River
4. *Location affected by project:* Lots 6 and 7 Kootenai Vista, NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ in Section 22, Township 32N, Range 34W, Lincoln County
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:
The DNRC shall issue a water use permit if an applicant proves the criteria in 85-2-311 MCA are met.

The Applicant proposes to divert water from the Kootenai River, by means of a pump, from May 1 through October 31 at 12 GPM up to 0.95 AF, from a point in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ in Section 22, Township 32N, Range 34W, for domestic lawn and garden use on 0.38 acres from May 1 through October 31 annually. The place of use is Lots 6 and 7 of Kootenai Vista and is generally located NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ in Section 22, Township 32N, Range 34W, Lincoln County.

6. Agencies consulted during preparation of the Environmental Assessment:
(include agencies with overlapping jurisdiction)

Montana Natural Heritage Program
Natural Resources and Conservation Service soil maps
Montana Department of Environmental Quality 303d list
United States Fish and Wildlife Wetland Mapper
Montana Fish, Wildlife and Parks dewatered stream list

Part II. Environmental Review

1. **Environmental Impact Checklist:**

PHYSICAL ENVIRONMENT

WATER QUANTITY, QUALITY AND DISTRIBUTION

Water quantity - *Assess whether the source of supply is identified as a chronically or periodically dewatered stream by DFWP. Assess whether the proposed use will worsen the already dewatered condition.*

Determination: The Kootenai River is listed as being a chronically dewatered stream by the DFWP. However, the Libby Dam and its FERC license regulate this source's flow. This appropriation should not greatly impact this condition or regulation.

Water quality - *Assess whether the stream is listed as water quality impaired or threatened by DEQ, and whether the proposed project will affect water quality.*

Determination: According to DEQ, the impaired issues are impacts from hydrostructure flow ie. Libby Dam. This appropriation will have no impact.

Groundwater - *Assess if the proposed project impacts ground water quality or supply. If this is a groundwater appropriation, assess if it could impact adjacent surface water flows.*

Determination: N/A

DIVERSION WORKS - *Assess whether the means of diversion, construction and operation of the appropriation works of the proposed project will impact any of the following: channel impacts, flow modifications, barriers, riparian areas, dams, well construction.*

Determination: The diversion works will consist of a portable, 1.5 HP Flotec FP5172 pump with a 1 ½ inch intake. Water is pumped roughly 20 feet up the river bank through a 1 ½ inch PVC pipe to the various zones. There are a total of 7 zones with zone 1 running consecutively with each of the other zones. Each zone has three or four sprinkler heads. With discharge at 40 psi and 8 sprinkler heads at 1.5 GPM each, 12 GPM for the system is attainable. Pump specifications provided in application confirm capacity.

UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES

Endangered and threatened species - *Assess whether the proposed project will impact any threatened or endangered fish, wildlife, plants or aquatic species or any "species of special concern," or create a barrier to the migration or movement of fish or wildlife. For groundwater, assess whether the proposed project, including impacts on adjacent surface flows, would impact any threatened or endangered species or "species of special concern."*

Determination: The Montana Natural Heritage Program was contacted to determine if there are any threatened or endangered fish, wildlife, plants or aquatic species or any "species of special concern", that could be impacted by the proposed project. They identified the following animal and plant species that are threatened, or have special status, that are located regionally: Canada Lynx, Coeur d'Alene Salamander, White Sturgeon, Torrent Sculpin, Westslope Cutthroat Trout, Columbia River Redband Trout, Bull Trout, Lake Trout, Western Pearlshell and Geyer's Biscuitroot. These species are found throughout this region and not necessarily at this particular spot. No immediate impact.

Wetlands - Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.

Determination: No data was available in Mapper. This impact should probably have been addressed in the subdivision platting. No impact.

Ponds - For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.

Determination: No pond; no impact.

GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE - Assess whether there will be degradation of soil quality, alteration of soil stability, or moisture content. Assess whether the soils are heavy in salts that could cause saline seep.

Determination: This soil is mainly Andic Dystrochrepts, alluvial terraces. No impact to soil quality or alteration of soil stability is expected.

VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS - Assess impacts to existing vegetative cover. Assess whether the proposed project would result in the establishment or spread of noxious weeds.

Determination: Grounds will be maintained with lawn and garden/natural landscaping. This is private land and it is ultimately the owner's responsibility to keep noxious weeds under control.

AIR QUALITY - Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.

Determination: No impacts are anticipated.

HISTORICAL AND ARCHEOLOGICAL SITES - Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project if it is on State or Federal Lands.

Determination: N/A – project not located on State or Federal Lands.

DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY - Assess any other impacts on environmental resources of land, water and energy not already addressed.

Determination: No other impacts were identified during this EA.

HUMAN ENVIRONMENT

LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS - Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.

Determination: No inconsistency noted.

ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES - Assess whether the proposed project will impact access to or the quality of recreational and wilderness activities.

Determination: No impact expected.

HUMAN HEALTH - Assess whether the proposed project impacts on human health.

Determination: No impact expected.

PRIVATE PROPERTY - Assess whether there are any government regulatory impacts on private property rights.

Yes___ No~~XX~~ If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.

Determination: No impact.

OTHER HUMAN ENVIRONMENTAL ISSUES - For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.

Impacts on:

- (a) Cultural uniqueness and diversity? None identified.
- (b) Local and state tax base and tax revenues? None
- (c) Existing land uses? None
- (d) Quantity and distribution of employment? None
- (e) Distribution and density of population and housing? None
- (f) Demands for government services? None
- (g) Industrial and commercial activity? None identified.
- (h) Utilities? None
- (i) Transportation? Not significant.
- (j) Safety? None
- (k) Other appropriate social and economic circumstances? None

2. ***Secondary and cumulative impacts on the physical environment and human population:***

Secondary Impacts None identified.

Cumulative Impacts None identified.

3. ***Describe any mitigation/stipulation measures:*** None identified.

4. ***Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:*** No reasonable alternative identified.

PART III. Conclusion

1. ***Preferred Alternative***

Project should be completed as explained in application.

2 ***Comments and Responses***

3. ***Finding:***

Yes___ NoXX Based on the significance criteria evaluated in this EA, is an EIS required?

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action:

Name of person(s) responsible for preparation of EA:

Name: Kathy Olsen

Title: Water Resource Specialist

Date: February 21, 2012